UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

FROM : A. Rosen

SUBJECT: MURKIN

DATE April 22, 1968

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. McGowan
1 - Mr. McDonough
1 - Mr. Trotter
1 - Mr. Conrad

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

This is the case involving the murder of Martin Luther King, Jr.

With respect to the evidence in this case obtained from the Memphis Police Department, SAC Jensen of our Memphis Office has advised that on the evening of the shooting, 4/4/68, and the morning of 4/5/68, he contacted Frank Holloman, Director of Fire and Police, and inquiry was made of the evidence collected. Holloman advised that all of the material he knew of was at that time in custody of Homicide Division, Inspector N. E. Zachary. He was told that the SAC would take possession of the evidence collected and would prepare it for submission to the FBI Laboratory immediately. No discussion was had with Holloman as to whether or not the FBI Laboratory report would be furnished to him and no request was made by him on arrival at the Homicide Division where the pertinent material had been maintained in a small room off the Homicide Squad rooms under custody of Inspector Zachary. Much of the material had not been identified as two of the officers had secured the pertinent material and arrangements were immediately made with Inspector Zachary to secure the names of the officers who could identify the evidence. Officers properly identified evidence.

The major part of the evidence was submitted by Inspector Zachary who had personally brought it to the police department, however, other miscellaneous items had been secured by individual officers. SAC Jensen advised Inspector Zachary that he would take custody of the material and insure that it was submitted to the FBI Laboratory immediately for appropriate and necessary examination. Inspector Zachary was advised that if he desired a police officer to accompany the Agent this could be arranged, and Inspector Zachary stated he did not feel it was necessary.

EJM:wjc
(6)

CONTINUED - OVER

44-38861-3041
16 MAY 8 1968
REC 10
EBI
MAY 6 1968
MAY - 0 1968
UNRECORDED COPY FILED IN

Memorandum to Mr. DeLoach:
RE: MURKIN

The Memphis Police Department has not asked for the return of the evidence in this case. SAC Jensen, shortly after Mr. DeLoach's trip to Memphis on April 5, 1968, expressed to DeLoach the fact that the Police Department might soon begin wondering whether they would receive a report. DeLoach later mentioned this thought on Jensen's part in conversation with the Director. Both SAC Jensen and Inspector Joe Sullivan have indicated that there has been no request whatsoever on the part of the Memphis Police Department for this evidence to be returned.

Inspector Zachary, Memphis Police Department, has expressed the opinion that ultimately the case would have to be tried as a murder case in local courts. The First Assistant State Attorney General, Robert Dwyer, has indicated an interest in the evidence but has not made any request for its return.

The evidence has been maintained in the FBI Laboratory in view of the exhaustive and intensive investigation being conducted by the FBI and principally because evidence continues to be accumulated as we develop additional information on the background, prior movements and activities of the subject. Retention of the evidence has been particularly important from the standpoint that many of the items contained latent fingerprint impressions. It was, of course, necessary that these impressions be compared with previously obtained material.

OBSERVATIONS:

The individual known as Eric Starvo Galt has now been identified as James Earl Ray, a Bureau fugitive. This important identification, of course, places the case in a different light. We, therefore, now feel that it is not necessary to retain the evidence, which has been already fully examined, and recommend that the evidence recovered by the Memphis Police Department be returned to that agency at this time. It is suggested, however, that the Department be consulted prior to this action being taken.

Get it back to Memphis ASAP

I don't understand this. The day A.G. visited the Laboratory I saw all of the evidence. I told Sears to send this evidence back to Memphis Police. Why it was not done I would like to know.